

GAU1744

Practitioner's Docket No. 1721-1

PATENT

SA#  
#2  
10.3-00



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent application

of \_\_\_\_\_  
Inventor(s)

for \_\_\_\_\_  
Title of invention

the specification of which is being transmitted herewith

OR

In re application of: WHITE, James M.

Application No.: 0 9 / 596,370 Group No.: 1744

Filed: June 19, 2000

Examiner: McKane

For: BIOLOGICAL FLUID DISPOSAL SYSTEM

Assistant Commissioner for Patents  
Washington, D.C. 20231

INFORMATION DISCLOSURE STATEMENT

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CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10\*

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(Information Disclosure Statement [6-1]—page 1 of \_\_\_\_\_)

NOTE: "An information disclosure statement shall be considered by the Office if filed by the applicant:

- (1) Within three months of the filing date of a national application;
- (2) Within three months of the date of entry of the national stage as set forth in § 1.491 in an international application; or
- (3) Before the mailing date of a first Office action on the merits, whichever event occurs last."

37 C.F.R. § 1.97(b).

NOTE: "Each individual associated with the filing and prosecution of a patent application has a duty of candor and good faith in dealing with the Office, which includes a duty to disclose to the Office all information known to that individual to be material to patentability as defined in this section." 37 C.F.R. § 1.56(a).

"Individuals associated with the filing or prosecution of a patent application within the meaning of this section are:

- (1) each inventor named in the application;
- (2) each attorney or agent who prepares or prosecutes the application; and
- (3) every other person who is substantively involved in the preparation or prosecution of the application and who is associated with the inventor, with the assignee or with anyone to whom there is an obligation to assign the application." 37 C.F.R. § 1.56(c).

NOTE: The "duty as described in § 1.56 will be met so long as the information in question was cited by the Office or submitted to the Office in the manner prescribed by §§ 1.97(b)-(d) and 1.98 before issuance of the patent." Notice of January 9, 1992, 1135 O.G. 13 -25 at 17.

WARNING: "No information disclosure statement may be filed in a provisional application." 37 C.F.R. § 1.51(b).

### List of Sections Forming Part of This Information Disclosure Statement

The following sections are being submitted for this Information Disclosure Statement:

(check sections forming a part of this statement: discard unused sections and number pages consecutively)

1. ☒ Preliminary Statements
2. ☒ FORMS PTO/SB/08A and 08B (formerly FORM PTO-1449)
3. ☐ Statement as to Information Not Found in Patents or Publications
4. ☐ Identification of Prior Application in Which Listed Information Was Already Cited and for Which No Copies Are Submitted or Need Be Submitted
5. ☐ Cumulative Patents or Publications
6. ☒ Copies of Listed Information Items Accompanying This Statement
7. ☐ Concise Explanation of Non-English Language Listed Information Items
  - 7A. ☐ EPO Search Report
  - 7B. ☐ English Language Version of EPO Search Report
8. ☐ Translation(s) of Non-English Language Documents
9. ☒ Concise Explanation of English Language Listed Information Items (Optional)
10. ☒ Identification of Person(s) Making This Information Disclosure Statement

(complete the following, if appropriate)

Sections \_\_\_\_\_, respectively, have been continued on ADDED PAGE(S).

NOTE: "Once the minimum requirements are met, the examiner has an obligation to consider the information." Notice of April 20, 1992 (1138 O.G. 37-41, 37).

## **Section 1. Preliminary statements**

Applicants submit herewith patents, publications or other information, of which they are aware that they believe may be material to the examination of this application, and in respect of which, there may be a duty to disclose.

The filing of this information disclosure statement shall not be construed as a representation that a search has been made (37 C.F.R. 1.97(g)), an admission that the information cited is, or is considered to be, material to patentability, or that no other material information exists.

The filing of this information disclosure statement shall not be construed as an admission against interest in any manner. Notice of January 9, 1992, 1135 O.G. 13-25, at 25.

## Section 6. Copies of Listed Information Items Accompanying This Statement

NOTE: 37 C.F.R. 1.98(a)(2) requires that any information disclosure statement filed under § 1.97 shall include: "A legible copy of: (i) Each U.S. and foreign patent; (ii) Each publication or that portion which caused it to be listed; and (iii) All other information or that portion which caused it to be listed, except that no copy of a U.S. patent application need be included . . . ."

NOTE: The wording in § 1.98(a)(2)(iii) makes it clear that the requirement to submit a copy of each item of information listed in an information disclosure statement does not apply to the citation of a U.S. patent application. Notice of January 9, 1992, 1135 O.G. 13-25, at 14.

Legible copies of all items listed in Forms PTO/SB/08A and 08B (formerly Form PTO-1449) accompany this information statement.

*(complete the following, if applicable)*

- ☐ Exception(s) to above:
  - ☐ Items in prior application, from which an earlier filing date is claimed for this application, as identified in Section 4.
  - ☐ Cumulative patents or publications identified in Section 5.

## **Section 9. Concise Explanation of English Language Listed Information Items (OPTIONAL)**

*NOTE: "Applicants may, if they wish, provide a concise explanation of why English-language information is being submitted and how it is understood to be relevant. Concise explanations are helpful to the Office, particularly where documents are lengthy and complex and applicant is aware of a section that is highly relevant to patentability or where a large number of documents are submitted and applicant is aware that one or more are highly relevant to patentability." Notice of April 20, 1992 (1138 O.G. 37-41, 38).*

U.S. Patent No. 4,863,446, issued on September 5, 1989 to R. D. Parker, teaches a combination fluid collection and disposal apparatus. This apparatus includes a collection unit for collecting the fluid in a treatment unit for coupling with the collection unit to remove the fluid from the collection unit and to dispose the fluid. The collection unit is a reservoir for the temporary storage of fluids aspirated from the patient, a vacuum port for connecting the collection unit to a vacuum source and vacuum line connected to the vacuum port to the reservoir.

U.S. Patent No. 4,957,491, issued on September 18, 1990 to the same inventor, describes a similar apparatus.

U.S. Patent No. 5,087,420, issued on February 11, 1992 to E. E. Jackson, describes a disposal system for infectious waste where the waste is drawn into a container. At the same time, a disinfectant is drawn into the container. The disinfectant and the infectious waste are mixed in the chamber before being forwarded to a drain or for disposal. An aspirator pump creates the requisite vacuum. The device also utilizes a macerator for the purpose of fragmenting the biological components prior to disposal.

U.S. Patent No. 5,242,434, issued on September 7, 1993 to W. M. Terry, teaches another medical waste handling system in which the infectious fluid is mixed with a disinfectant from another container before being discharged into the environment. Various conduits are connected to a collection chamber. Various other types of pumps are employed so as to introduce or to release fluid from the collection chamber.

U.S. Patent No. 5,387,204, issued on February 7, 1995 to Olsson et al., describes an apparatus and method for dosing an additive at the collection of liquid. The apparatus uses a suction to draw

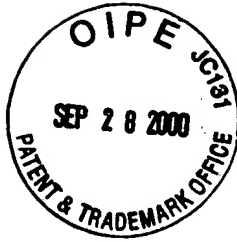
contaminated fluid through a tube. While the contaminated fluid is passed through a tube, it is mixed with a disinfectant before being forwarded for discharge.

U.S. Patent No. 5,741,238, issued on April 21, 1998 to Bradbury et al., teaches a medical and biological fluid collection and disposal system in which a vessel is divided into compartments which receive the biological fluid wastes through an inlet fitting. As fluid is received, air in the vessel is displaced and is discharged through a vent line. When a level sensor senses that a level of fluid in the vessel is approaching a pre-selected maximum, a control circuit closes a valve in the vent line so as to block the discharge of air from the vessel and to create a backpressure that stops the receipt of fluid.

U.S. Patent No. 5,776,118, issued on July 7, 1998 to Seifert et al., describes another collection and disposal system in which a collection vessel is connected for receiving waste fluids. The collection vessel is connected by a valve with a drain for draining the collected fluids. A fluid inlet is connected with an exterior water source to supply water through interconnected tubing to rinse waste residue from the collection vessel. A powdered reagent is received in a cup that is carried by a drawer to a position above the fluid mixing reservoir. A pump re-circulates the water through the reservoir to make the disinfectant fluid concentrate which is supplied to a venturi to be selectively entrained in the rinse water.

U.S. Patent No. 5,885,240, issued on March 23, 1999 to the same inventor, describes a similar type of system.

U.S. Patent No. 5,914,047, issued on June 22, 1999 to G. R. Griffiths, teaches an on-site biohazardous waste collection and treatment system. The infectious fluid is treated by using a vacuum to draw in a disinfectant to be mixed with the biohazardous material. The requisite suction is created by peristaltic pump.



**Section 10. Identification of Person(s) Making THIS INFORMATION DISCLOSURE STATEMENT**

The person making this statement is

*(check each applicable item (a) and (b))*

- (a) ☐ the inventor(s) who signs below

SIGNATURE OF INVENTOR

*(type name of inventor who is signing)*

- (b) ☐ an individual associated with the filing and prosecution of this application (37 CFR 1.56(c))

SIGNATURE OF INVENTOR

*(type name of inventor who is signing)*

- (c) ☒ the attorney who signs below on the basis of the information:

*(check each applicable item)*

- ☐ supplied by the inventor(s).  
☐ supplied by an individual associated with the filing and prosecution of this application (37 CFR 1.56(c)).  
☒ in the attorney's file.

SIGNATURE OF ATTORNEY

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